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April 18, 2013

CERTIFIED MAIL NO. 7003 2260 0007 2305 0849

No Return Receipt Required

Caitlyn Nummerdor
Freeport-McMoRan Tyrone Inc
PO Box 571
Tyrone, NM 88065

Re: Permit Application No. 2448-M1 (IDEA ID No. 527 - PRN20130001)

Dear Ms. Nummerdor:

This letter is in response to your air quality permit application dated March 26, 2013 to modify the Tyrone Mine near Tyrone, New Mexico. The application was received by the Department on March 28, 2013. This letter addresses the Completeness Determination, Public Notice and Comment, and Invoice for Permit Fee and is intended for use by the applicant, interested individuals and groups, and the appropriate NMED Field Office.

Completeness Determination

A preliminary review has been completed and the information provided is sufficient to complete an evaluation of your permit application. Therefore, your application was ruled administratively complete on April 18, 2013. Under the requirements of 20.2.72 NMAC, the Department anticipates issuing or denying this permit on or before July 17, 2013.

Public Notice and Comment

The Department will publish a public notice that will be sent to the NMED district or field office nearest the source (see enclosed). It describes the proposed facility, a summary of estimated emissions and ambient impact, the Department's preliminary intent to issue the permit, and the provisions for public comment.

The Department's analysis includes the Statement of Basis and is prepared as part of the technical review of the permit application. All interested persons have thirty (30) days from the date the public notice is published to notify the Department in writing of their interest in the permit application. The Department will notify all such persons of when and where the Department's analysis may be reviewed. Interested persons may review the Department's analysis for thirty (30) days after it becomes available at the NMED district or field office nearest the source. Written comments on the analysis or permit application and requests for a public hearing may be submitted to the Department during this second thirty (30) day period or any time before the permit is issued or denied.

The Department will hold a public hearing if the Secretary determines there is significant public interest in the permit application. The Department will also determine the time, date, and place of the hearing and shall notify the applicant and the public. At the hearing, all interested persons shall be given a reasonable chance to submit data, views or arguments orally or in writing, and to examine witnesses testifying at the hearing.

After the permit is issued or denied, the Department will mail written notice of the action taken on a permit application to all persons who submitted written comments or evidence on the application.

Invoice for Permit Fee

In accordance with 20.2.75 NMAC, this letter includes an invoice for the required permit fee in the amount of \$9,075.00. This fee is due within thirty (30) days of the date ruled administratively complete. 20.2.75 NMAC states that the Department shall deny any permit application or request for permit revision if the required permit fee has not been paid. This fee is not refundable. An enforcement/compliance fee will also be assessed annually. All fees shall be remitted in the form of a corporate check, certified check, or money order made payable to the New Mexico Environment Department, and shall be accompanied by the enclosed remittance slip. Fees shall be submitted to NM Environment Department, AQB at the address shown on the invoice.

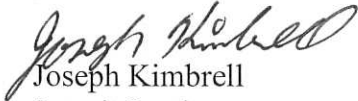
20.2.72.200.E NMAC states: "for all sources subject to this regulation applications for permits shall be filed prior to the commencement of construction, modification, or installation. Regardless of the anticipated commencement date, no construction, modification, or installation shall begin prior to issuance of the permit."

April 18, 2013

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If you have any questions please contact me in Santa Fe at 505-476-4347.

Sincerely,



Joseph Kimbrell

Permit Section

Air Quality Bureau

cc: Roger Felty, ARCADIS U.S., Inc.
Silver City NMED District/Field Office
20.2.72.206 NMAC, Section A(4) List (public notice only)
Public Notice only to EPA Region 6 via email to r6airpermits@epa.gov

Enclosures:

Public Notice – Attachment A
Permit fee invoice worksheet (applicant only)
Compact Disk (CD) Copy of Application (NMED district or field office)
NMED District or Field Office Request (NMED district or field office) – Attachment B

LEGAL NOTICE

and

Preliminary Determination for an Air Quality Permit for

Freeport-McMoRan Tyrone Inc

Freeport-McMoRan Tyrone Inc, PO Box 571, Tyrone, NM has submitted an air quality permit application to the Air Quality Bureau (aqb), New Mexico Environment Department (NMED) for an air quality permit to modify Tyrone Mine. The application file has been assigned Permit No. 2448-M1 and TEMPO Agency Interest ID No. 527. The exact location of the facility is/will be at latitude 32 deg, 39 min, 3 sec and longitude -108 deg, 22 min, 3 sec. To aid in locating this facility, the approximate location is 5 miles south from Tyrone, NM.

The proposed modification will consist of incorporating all operations at the mine authorized by NSR Permit 2448A-R1-R3 and NSR Permit 2448R3-R9 into this permit 2448-M1 and authorize the construction and operation of Units ENV-101, ENV-111, ENV-123, ENV-122, and ENV-333.

Total air pollutant emissions to the atmosphere from stack emissions are estimated to be approximately Nitrogen Oxides (NOx) at 120.8 tons per year (tpy) (+62.3); Carbon Monoxide (CO) at 56.59 tpy (+18.2); Volatile Organic Compounds (VOC) at 7.1 tpy (+4.7); Sulfur Dioxide (SO₂) at 28.3 tpy (+5.9); Total Suspended Particulate Matter (TSP) at 5.2 tpy (+3.9), Particulate Matter 10 microns or less (PM10) at 4.6 tpy (+3.9), and Particulate Matter 2.5 microns or less (PM2.5) at 4.5 tpy (+3.9). Total air pollutant emissions to the atmosphere from fugitive emissions are estimated to be approximately Nitrogen Oxides (NOx) at 174.7 tons per year (tpy) (No Change); Carbon Monoxide (CO) at 629.4 tpy (NC); Volatile Organic Compounds (VOC) at 43.86 tpy (NC); Sulfur Dioxide (SO₂) at 21.77 tpy (NC); Total Suspended Particulate Matter (TSP) at 5,061.5 tpy (NC), Particulate Matter 10 microns or less (PM10) at 1,260 tpy (NC), and Particulate Matter 2.5 microns or less (PM2.5) at 127.2 tpy (NC). The facility is a major, ≥100,000 tpy CO₂e, source of green house gas emissions. These emission estimates could change slightly during the course of the Department's review of the application.

The NMED has conducted a preliminary review of the information submitted with the permit application. The preliminary review and applicant's analysis of ambient air quality impacts indicates that the facility's air emissions will meet the ambient air quality standards for CO, NOx, SO₂, PM2.5, PM10 and TSP. A full review will evaluate the estimated emission rates for the pollutants listed above and the air quality analysis to determine compliance with the associated ambient air standards and requirements.

The NMED has conducted a preliminary review of the information submitted with the permit application and found that only volatile organic compounds (VOCs) are increasing due to this modification. VOCs are a pre-cursor to ozone. Pre-construction air dispersion modeling is not required for VOCs and ozone. To determine compliance with national ambient air quality standards, NMED monitors ambient ozone concentrations. A full review will evaluate the estimated emission rates and determine compliance with air quality regulations.

Based on the applicant's analysis, a preliminary determination is that this facility will comply with the requirements of Title 20, New Mexico Administrative Code (NMAC), Chapter 2, Parts 7, 61, 70, 71, 72, 73, and 74; 40 CFR 50; 40 CFR 60 Subparts Kb, OOO; 40 CFR 63 Subpart CCCCCC; and the New Mexico Air Quality Control Act. Therefore, the preliminary intent of NMED is to issue the air quality permit on or before July 17, 2013. This source is a minor source according to 20.2.74 NMAC, PSD.

Attachment A – Public Notice

To ensure compliance with state and federal air regulations, the permit is expected to include conditions that limit the emissions and conditions that will require record keeping and reporting to the Department.

The permit application is available for review in electronic or hard copy at the Air Quality Bureau Office, 525 Camino de los Marquez Suite 1, Santa Fe, New Mexico. To arrange viewing of this application contact Teri Waldron, at 505-476-4355 or teri.waldron@state.nm.us. The permit application is also available at the NMED Silver City Office, located at 3082 32nd Street By-Pass Road Suite D, Silver City, NM 88061 for public review.

All interested persons have thirty (30) days from the date this notice is published, to notify the Department in writing of their interest in the permit application. The written comments should refer to the company name, site name and Permit No. (or send a copy of this notice along with your comments). The written comments shall state the nature of the issues raised and how it relates to the requirements of applicable state and federal air quality regulations and the Clean Air Act. The written comments should be mailed to Joseph Kimbrell, New Mexico Environment Dept., Air Quality Bureau, Permit Section, 525 Camino de los Marquez Suite 1, Santa Fe, NM 87505-1816.

The Department will notify all persons, who have provided written comments, as to when and where the Department's analysis may be reviewed. Although all written comments will be made part of the public record, any person who does not express interest in writing prior to the end of this first thirty (30) day period will not receive such notification.

If the Department receives written public comment prior to the end of the Department's thirty (30) day public notice, the Department's analysis will be made available for review for thirty (30) days at the NMED district or field office nearest to the source before the permit will be issued. Written comments on the analysis or permit application may be submitted to the Department during this second thirty (30) day period or at any time before the permit is issued or denied.

Questions or comments not intended to be part of the public record can be directed to Joseph Kimbrell at 505-476-4347. General information about air quality and the permitting process can be found at the Air Quality Bureau's web site. The regulation dealing with public participation in the permit review process is 20.2.72.206 NMAC. This regulation can be found in the "Permits" section of this web site.

Attachment B –Field Office Request

District or Field Office Request

- The permit application available in Tempo and on the enclosed electronic disk and the attached Legal Notice are being sent to your office in accordance with 20.2.72.206 NMAC - Public Notice and Participation, which states: "the Department shall make available for public inspection the permit application, the Department's analysis, and the Department's preliminary determination. This material shall be available both at the Department's central office and the district or field office nearest to the proposed source." The Legal Notice contains the Department's preliminary determination.
- Please make these records available to public for a period one (1) year unless otherwise requested by the Air Quality Bureau.